

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNIVERSAL TRADING & INVESTMENT
12 CO.,

No. C-99-3073 MMC

13 Plaintiff

**ORDER DENYING PLAINTIFF'S
ADMINISTRATIVE MOTION TO
SUPPLEMENT RECORD BY
REGISTRATION OF JUDGMENT FROM
ANOTHER DISTRICT**14 PETRO MIKOLAYEVICH KIRITCHENKO,
et al.,

(Docket No. 979)

15 Defendants.

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17 Before the Court is the administrative motion filed March 17, 2006 by plaintiff
18 Universal Trading & Investment Co. ("UTI") to supplement its briefing on the pending
19 motion for summary judgment filed by defendants Peter Kiritchenko, Izabella Kiritchenko,
20 and Ludmilla Kiritchenko (collectively, "Kiritchenko defendants"). In particular, UTI seeks to
21 supplement the record by registering a judgment in favor of UTI and against United Energy
22 Systems of Ukraine ("UESU"), entered July 7, 2005 by the United States District Court for
23 the District of Massachusetts ("UESU judgment"). UTI further seeks to supplement the
24 record with the declarations of Dr. Youry A. Lambert, Dr. W. Scott Thompson, and Dr.
25 Warren Coats, filed February 27, 2006 in support of registration of the UESU judgment.
26 The Kiritchenko defendants have filed opposition to the motion; no reply has been filed.
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1 Civil Local Rule 7-3(d), in relevant part, provides that "once a reply is filed no
2 additional memoranda, papers or letters may be filed without prior Court approval." See
3 Civil L.R. 7-3(d). Here, UTI relied on the UESU judgment in UTI's briefing filed January 20,
4 2006 in opposition to the Kiritchenko defendants' motion for summary judgment.
5 Consequently, because the UESU judgment and UTI's arguments with respect to the legal
6 effect of that judgment already are part of the record on the motion for summary judgment,
7 there is no need to "supplement" the record with the UESU judgment.

8 With respect to the above-referenced declarations, UTI has submitted no evidence
9 as to why those declarations could not have been submitted earlier in the summary
10 judgment proceedings. Consequently, UTI has failed to show good cause for
11 supplementing the summary judgment record therewith.

12 Accordingly, plaintiff's motion to supplement the record is hereby DENIED.

13 **IT IS SO ORDERED.**

14 Dated: April 20, 2006


MAXINE M. CHESNEY
United States District Judge

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